

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ETTO IP, LLC,

Plaintiff,

v.

REEBOK INTERNATIONAL LTD.,

Defendant.

Case No. 6:23-cv-00003-DAE

CLAIM CONSTRUCTION ORDER

Before the Court are the parties' *Markman* briefs: Defendant's Opening and Reply Claim Construction Briefs (ECF No. 26 and 29, respectively), Plaintiff's Responsive Brief (ECF No. 27¹), and the Parties' Joint Claim Construction Statement (ECF No. 31). The matter was referred to the undersigned for a *Markman* hearing. *See* Text Order dated January 21, 2025. The undersigned held a *Markman* hearing on March 20, 2025. The Court issues this Order to memorialize the Court's final claim construction rulings for the parties, and to inform the parties that the Court will issue a more-detailed Order explaining its analysis in due course. The deadline to file any objections to the undersigned's claim construction rulings (pursuant to Federal Rules of Civil Procedure 59 and 72) does not begin to run until the more-detailed Order is entered on the docket.

¹ Plaintiff filed two Responsive Brief the same day, at ECF Nos. 27 and 28. ECF No. 28 appears to have corrected formatting issues and the Court uses that as the operative Responsive Brief.

IT IS SO ORDERED.

SIGNED this 20th day of March, 2025.



DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE

COURT'S FINAL CONSTRUCTIONS

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
"three dimensional mold" (claim 1)	1. Plain and ordinary meaning 2. an object useable to give shape or form to a fluidic material as the fluidic material becomes a solid	Frame having length, width, and depth on or around which an object is constructed, and from which the object is removed after construction	Plain and ordinary meaning
"separating the three dimensional mold from the finished designed product" (claim 1)	1. Plain and ordinary meaning 2. removing the finished design product from at least a portion of the three dimensional mold	Removing the designed product from the three-dimensional mold such that the product and mold are no longer in any contact with each other	Plain and ordinary meaning, wherein the product and mold are no longer in any contact
"support unit being adjustable in any of a plurality of possible directions" (claim 1)	1. Plain and ordinary meaning 2. support unit is movable in x, y, and z directions	Support unit is moveable in all three spatial dimensions (x, y, and z)	support unit being moveable in x, y, and z directions.
"present each face of the three dimensional mold . . . to an extruder" (claim 1)	1. Plain and ordinary meaning 2. locate the surface of the three dimensional mold so as to receive the fluid material extruded by the extruder	Present each and every face of the three dimensional mold to an extruder	Plain and ordinary meaning, wherein each face means each and every face